

GOVERNMENT OF TELANGANA
ABSTRACT

Public Services - Survey and Land Records - Disciplinary proceedings against Sri V. Niranjan Rao, Retired Deputy Surveyor, Khammam District (Now retired) - Committed certain irregularities - Imposition of punishment under A.P. Revised Pension Rules, 1980 - Punishment of 100% cut in pension permanently - Orders - Issued.

=====

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.MS.No. 99

Dated: 06-07- 2015.
Read the following:-

- 1) The Assistant Director, Survey & Land Records, Khammam District, Rc.No. A4/1189/1997, dt. 19.04.2003 & 09.1.2004
- 2) The Assistant Director, S & LR., Khammam & EO's Report dt. 30.04.2004.
- 3) The Assistant Director, S & LR., Khammam, Procs. No. Rc.A4/1189/97, dt.16.03.2005.
- 4) Procs. of R.D.D, S & LR., Hyderabad Rc. A2-7093/2009, dt. 29.01.2010.
- 5) Orders of Hon'ble A.P.A.T., Hyd. dt.01.10.2013 in OA No. 9253/2009 with C.A. No. 382/2010.
- 6) From the Commissioner Survey Settlements and Land Records, Hyderabad, Lr. No. K2/6783/2009, dt. 06.11.2013 and 20.11.2013.
- 7) Govt. Memo No. 12842/Vig.IV-2/ 2010-1 dt.24-1-2014.
- 8) Explanation dt. 10-2-2014 of Sri V. Niranjan Rao, (Retd.) Deputy Surveyor.
- 9) Govt.Lr.No.12842/Vig.IV(2)/2010-4, dated 11.03.2014.
- 10) From the Secretary, APPSC, Hyderabad, Lr.No.633/RT/3/2014, dated 24.05.2014.
- 11) Govt. Memo No.12842/Vig.I(2)/2010, dated 31.01.2015.
- 12) Explanation dated 02.05.2015 of Sri V.Niranjan Rao (Retd.) Dy.Surveyor.

@@@@@@

ORDER:

It has been brought to the notice of the Government that Sri V. Niranjan Rao, while working as Deputy Surveyor, Survey & Land Records, Khammam District has committed certain irregularities by influencing his colleagues and using his official position gained knowledge about the vacant lands useful for house sites in and around Khammam and obtained some documents and filed suits in various courts at Khammam district by using wrongful methods.

2. In the reference 1st read above, the Assistant Director, Survey & Land Records, Khammam District has framed (14) articles of charges against Sri V. Niranjan Rao, Deputy Surveyor for the said irregularities reported to have been committed by him. The Charged officer has submitted his explanation dated 29.7.2003, stating that there is no truth in the contents of the (14) articles of charges and requested to drop the charges framed against him. Not satisfying with written statement of defence, the matter got enquired into and the Enquiry Officer and the Assistant Director, Survey & Land Records, Khammam in his findings has held that all the (14) charges framed against Sri V.Niranjan Rao, Deputy Surveyor are proved.

3. In the reference 3rd read above, the Assistant Director, Survey & Land Records, Khammam has imposed a punishment of stoppage of one increment with cumulative effect on Sri V. Niranjan Rao, Deputy Surveyor, who was retired from service on 30.09.2004. The Regional Deputy Director, Survey & Land Records, Hyderabad vide reference 4th read above, has set aside the above punishment awarded by the Assistant Director, Survey & Land Records, Khammam, for the reason that the Assistant Director, Survey & Land Records is not competent to impose the punishment on a retired Government employee.

4. Aggrieved by the above, the Charged Officer has approached the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad through O.A. No.9253/2009 and C.A.No.382/2010. The Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad in its final orders in the reference 5th read above has directed the respondents to pass final orders in the disciplinary proceedings pending against the applicant with in a period of (8) weeks from the date of receipt of the orders and also directed the respondents to regularize the suspension period of the applicant.

5. In the reference 6th read above, the Commissioner, Survey Settlements & Land Records, Hyderabad, while furnishing the above orders of Andhra Pradesh Administrative Tribunal has requested the Government to take action in the matter, as the Government is competent authority to take action against the retired employees as per Rule 9 of Andhra Pradesh Revised Pension Rules 1980.

(P.T.O.)

6. After examination of the matter, taken a provisional decision to impose a penalty of 5% cut in pension permanently against Sri V. Niranjan Rao, Deputy Surveyor (Retired) and directed to file his representation if any on the above provisional direction vide reference 7th read above. In the reference 8th read above, Sri V. Niranjan Rao, Deputy Surveyor (Retd.) has submitted his explanation stating that he retired from service on 30.09.2004 and his pensionary benefits have not been settled so far, and his pay also not been revised in terms of RPS 1986, 1993, 1999 & 2005 and arrears of salaries were not paid so far. He has also submitted that his service book was misplaced for which the authorities are alone responsible for such misplacement and prayed the Government to interfere in the matter for revision of his pay since a new service book has been constituted by the Assistant Director in the year 2013. Finally, he has prayed the Government to consider his explanation and to drop the proposed action initiated in the show cause notice i.e., 5% cut in pension permanently and release all the pensionary benefits due to him.

7. Government examined the explanation and observed that the Charged Officer has not put forth any new valid contentions. Accordingly addressed to the Public Service Commission for their concurrence vide reference 9th read above. In the reference 10th read above, the Secretary, APPSC has communicated the observations of the Commission stating that "the allegations against the Charged Officer are very serious in nature, Fourteen articles of charges were framed against him, in which, he with knowledge of certain lands (extent and back ground) filed suits against the legal heirs/owners, threatened a few people, threw out a few people with the help of anti-social elements, obtained power of Attorney for a few lands & offered Government land for sale taking advance sale consideration, manipulated revenue records and tried to occupy certain lands & also encroach his neighbour's land, clearly proving that he has indulged in land grabbing instances". Therefore, Commission advises the Government to award the punishment of 100% cut in pension permanently against Sri V.Niranjan Rao, Deputy Surveyor (Retd.), Khammam District for his blatantly illegal activities.

8. Government after careful examination of the matter and keeping in view the advice of the APPSC, Hyderabad, have taken a provisional decision to impose a penalty of 100% cut in pension permanently against Sri V. Niranjan Rao, Deputy Surveyor (Retired) instead of 5% cut in pension permanently and directed to file his representation if any, vide reference 11th read above.

9. In the reference 12th read above, Sri V. Niranjan Rao, Deputy Surveyor (Retd.) has submitted his explanation to the show cause notice stating that at this point of time imposing extreme penalty of 100% cut in pension is highly excessive and grossly disproportionate to the gravity of the alleged misconduct. Further more, all the criminal cases filed falsely against him are all closed by acquitting from the criminal offences by the competent criminal court and compromised in Lok Adalat and as such the whole disciplinary action is liable to be dropped.

10. Government have examined the representation of Sri V.Niranjan Rao, Deputy Surveyor (Retd.), Khammam District and observe that the Charged Officer has not put produced any new grounds. The Acts of Charged Officer involved grave irregularities and all the (14) charges are held proved. Hence his request to drop further action is not convincing.

11. Accordingly, Government hereby order to impose a punishment of 100% (hundred percent) cut in pension permanently on Sri V.Niranjan Rao, Deputy Surveyor (Retd.), Khammam District in exercise of the powers conferred under rule 9 of APRP Rules, 1980.

12. The Commissioner, Survey Settlements and Land Records, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

B.R.MEENA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Individual (through the Commissioner, Survey Settlement & Land Records, Hyderabad)

The Commissioner, Survey Settlement & Land Records, Hyderabad

Copy to:

The Assistant Director, Survey & Land Records, Khammam District.

The Accountant General, Telangana, Hyderabad.,

The District Treasury Officer, Khammam District.

The Secretary, Telangana State Public Service Commission, Hyderabad

The Government Pleader for Revenue (Ser.), Andhra Pradesh Administrative Tribunal, Hyderabad.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER